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FIFTH BIENNIAL REPORT
OF THE
BOARD OF CIVIL SERVICE COMMISSIONERS
OF THE
STATE OF COLORADO
1915-1916

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Fifth Biennial Report

OF THE

BOARD OF CIVIL SERVICE
COMMISSIONERS

OF THE

STATE OF COLORADO

TO THE GOVERNOR

With the Civil Service Law

1915-1916



DENVER, COLORADO
EAMES BROS., STATE PRINTERS
1916

CIVIL SERVICE COMMISSIONERS

FRANK McLAUGHLIN, President

IMOGENE G. CLARKE

ARTHUR R. MORRISON

ELEANOR F. YOUNG

Secretary and Chief Examiner

DOUGLASS KILLIN, Chief Clerk

ALICE M. MORLEY, Clerk and Stenographer

Office

Capitol Building, Denver, Colorado

TABLE OF CONTENTS

COMMISSION'S REPORT:

Organization	5
Rules and Regulations.....	6
Attempt to Refer the 1915 Act.....	6
The Civil Service Law of 1915.....	7
Question as to the Status of Heads of Departments Claiming to Hold Under Examination.....	7
Hearings and Investigations.....	8
Examinations	10
Appointments From Eligible Lists.....	10
Provisional and Temporary Appointments.....	10
Classification	11
Suggested Legislation.....	12
Conclusion	12

SECRETARY AND CHIEF EXAMINER'S REPORT:

Examinations	13
Certifications and Appointments From Eligible Lists.....	14
Classified and Unclassified Service.....	18
Provisional and Temporary Appointments.....	25
Financial Statement	28
Summary of Work	29
Acknowledgments	30

CIVIL SERVICE LAW.....	31
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Fifth Biennial Report
OF THE
Board of Civil Service Commissioners
of the State of Colorado

1915-1916

Denver, Colorado, November 15, 1916.

To His Exeellency, GEORGE A. CARLSON,
Governor of Colorado.

SIR:

The Board of Civil Service Commissioners of the State of Colorado respectfully submits for your consideration the following, its Fifth Biennial Report, for the fiscal years 1915-1916, pursuant to section 8 of Chapter 51 of the Session Laws of Colorado, 1915:

During a portion of the period covered by this report, to-wit, from December 1, 1914, to July 10, 1915, the original civil service law of 1907, as amended in 1912, was in effect and administered by the Commission appointed under that law. The present civil service law was passed by the Twentieth General Assembly in 1915, and became effective on July 10 of that year.

ORGANIZATION

At the expiration of the term of Mr. William W. Grant, Jr., on June 30, 1915, your exeellency appointed Mr. Arthur R. Morrison of Denver as his successor, under the civil service acts of 1907 and 1912.

The personnel of the Commission as then constituted was as follows:

	Term Expires
Frank McLaughlin, President	June 30, 1919
Henry A. Hieks	June 30, 1917
Arthur R. Morrison	June 30, 1921

After the civil service law of 1915 became effective, and on July 22, 1915, your exeellency appointed the following as Civil Service Commissioners, under section 2 of that law, to serve until January 9, 1917:

Frank McLaughlin,
Imogene G. Clarke,
Arthur R. Morrison,

who now constitute the Board of Civil Service Commissioners.

On July 28, 1915, the Commissioners appointed under the law of 1915 met and organized, electing Frank McLaughlin as president, and temporarily retaining the employes of the former Commission.

RULES AND REGULATIONS

On August 7, 1915, the present Commission, realizing the necessity of rules and regulations for the transaction of its business, until it could devote the time and give proper consideration to the formulation of a new body of rules, adopted the rules and regulations theretofore adopted and used by the Civil Service Commission under the laws of 1907 and 1912, "so far as the same may be applicable to and not in conflict with the civil service law of 1915;" and the rules and regulations so adopted were, on said last mentioned date, submitted to and approved by your excellency.

ATTEMPT TO REFER THE 1915 ACT

The Civil Service Act of 1915, passed by the Twentieth General Assembly, and signed by the Governor on April 10, 1915, did not contain the "emergency clause," the absence of which delayed its becoming effective until ninety days after the date of its approval, or until July 10, 1915. The Assembly did, however, append to this act what is commonly known as the "safety clause," declaring it to be necessary for "the immediate preservation of the public peace, health and safety," the effect of which is to prevent its reference.

Notwithstanding this fact, referendum petitions were circulated during the ninety-day period and tendered to the Secretary of State for filing. The Secretary of State refused the petitions, on the ground that he could not, under the law, accept petitions to refer an act containing the "safety clause." An action was thereupon commenced in the District Court in an attempt to require reference of the act on the theory that the declaration contained in the "safety clause" was not true. The District Court denied a writ of mandamus, and the case was carried to the Supreme Court.

In the meantime, and on February 15, 1916, the present Commission removed the temporary Secretary and Chief Examiner elected on July 28, 1915, and appointed Miss Eleanor F. Young of Denver as her successor.

The former Secretary refused to relinquish custody of the books and records of the department during the pendency of the litigation, alleging also certain irregularities in the passage of the 1915 act, and claiming to stand on the authority of the action of the Commission theretofore acting under the laws of 1907 and 1912, wherein that Commission refused to adopt a resolution proposed on July 8, 1915, to authorize the transfer of the books and records to the Secretary of State, to be by him held for delivery to the Commission to be appointed under the act of 1915, when the latter Commission should have been appointed and organized, in accordance with the provisions of section 26 of the latter act.

The former Secretary, therefore, remained in the office and attempted to act under the laws of 1907 and 1912, while the Secretary of the newly appointed Commission also occupied the same office and administered the provisions of the law of 1915.

During this period, and in order that complication as to the salaries of employes in the classified service might be avoided, the monthly pay rolls submitted to the Commission were certified by the Secretary of the present Commission and the former Secretary of the old Commission, jointly.

On April 3, 1916, the Supreme Court affirmed the judgment of the District Court in the referendum case, and no further question of the validity of the 1915 law was raised.

THE CIVIL SERVICE LAW OF 1915

The provisions of the civil service law now in effect are substantially the same as those of the statutes repealed, except in the following particulars:

1. The present law provides for the appointment of three commissioners whose terms shall be co-terminous with the tenure of office of the Governor making the appointments. The original act provided for six-year terms and the appointment of one commissioner every alternate year.

2. The commissioners under the present law receive \$600.00 each per annum, while under the old law they served without pay.

3. The 1915 act omits the requirement for publication of rules adopted by the Commission before the same should become effective under the original act.

4. The present law exempts from the classified service a number of positions included under the original act and amendment, notably heads and chief deputies of departments and institutions, one stenographer for the head of each department, janitors, common laborers, clerks of courts of record, etc.

5. The present law provides for the certification of the three highest eligibles on requisition for appointment, while under the old law the highest eligible only was certified.

6. The present law omits the penalty imposed by the 1912 amendment for payment by auditing and disbursing officers without the certification of the Commission.

7. The 1915 act fails to provide the Commission with a continuing appropriation to carry on its work, thus leaving any provision for salaries and expenses in the discretion of the legislature.

8. The present law also abolished all eligible lists existing at the time it became effective.

QUESTION AS TO THE STATUS OF HEADS OF DEPARTMENTS CLAIMING TO HOLD UNDER EXAMINATION

Section 26 of the act of 1915 provides that

“Nothing in this act shall be construed to remove from the protection of the civil service any officer or employe in the service of the state at the time this act shall become effective and who shall have previously been appointed to his present position as the result of a competi-

tive examination, unless such officer or employe be holding a position which is exempt from the classified service by section 2 of this act."

Section 2 refers merely to the appointment of civil service Commissioners, and, while it is contended that it was the intention of the General Assembly to refer to section 11, the Commission is divided on this point, though we are informed that the District Court of the Eleventh Judicial District has upheld the contention that the reference to section 2 is an error. The decision referred to is the only judicial expression on this point; and this is not final, as it is now pending in the Supreme Court on application for super-seedeas, and is meanwhile stayed.

In view of the divided opinion of the Commission (a majority contending that it could not go beyond the terms of the law for a construction, as that was a matter for the courts), all heads of departments and institutions, and employes occupying other positions declared to be exempt, who were holding under competitive examination at the time the 1915 act became effective, have been retained on the classified list.

HEARINGS AND INVESTIGATIONS

CASE OF HARRY W. RISLEY, COMMISSIONER OF PUBLIC PRINTING.

On August 9, 1915, the Governor suspended Harry W. Risley, Commissioner of Public Printing, for a period of ten days without pay, under Rule XI, subdivision 5, alleging misconduct and breach of discipline. On August 17 formal charges, containing eleven specifications alleging inefficiency, failure to comply with the laws relating to public printing, etc., were filed with the Civil Service Commission, with a request that the period of suspension be continued until the charges should be heard and determined. On August 18 the Commission adopted a resolution to request the Governor to make certain of the charges more specific, and also a resolution continuing the suspension. On August 21 the Commissioner of Printing filed his answer to the charges not affected by the resolution. On August 23 the Governor filed amended charges in compliance with the resolution, and on August 26 the Commissioner filed his answer thereto. A motion to strike certain portions of the answer was thereupon filed on behalf of the Governor, and on September 7 the Commission sustained the motion by striking certain objectionable matter.

Oral hearings were thereupon conducted by the Civil Service Commission, covering a period of several weeks, at which hearings the parties interested were represented by counsel, a number of witnesses were examined and a great mass of evidence introduced.

The Commissioners thereupon submitted to the Governor their separate findings and recommendations. Commissioner McLaughlin found a majority of the charges to have been sustained by the

evidence, but, while not withholding from the Governor the right to remove him, should he so desire, recommended that the Commissioner of Printing be retained for a probationary period of ninety days, during which time he should put into effect certain recommendations made. Commissioner Morrison found the Commissioner of Printing guilty as charged, and recommended his immediate removal. Commissioner Clarke found that the evidence was not sufficient to sustain the charges.

On November 3, 1915, the Governor, acting under authority of the findings of a majority of the Commission, removed Harry W. Risley as Commissioner of Public Printing. Mr. Risley had been previously certified and appointed as the result of a competitive examination under the civil service amendment of 1912 and claimed civil service rights under the 1915 law by virtue of the provisions of section 26 hereinbefore referred to. After his removal, however, the position of Commissioner of Public Printing being that of a head of department, and as such exempt from the classified service under section 11 of the civil service law of 1915, the Governor appointed his successor without reference to civil service.

CASE OF M. P. CAPP,

WARDEN OF THE STATE REFORMATORY.

On July 26, 1915, charges were filed by one Ed S. Gregg, as a citizen and taxpayer, under the provisions of Rule XI, subdivision 1, against M. P. Capp as acting Warden of the Colorado State Reformatory, containing twelve specifications of alleged inefficiency, misconduct of the institution, etc.

M. P. Capp had been previously certified and appointed as the result of a competitive examination under the original civil service law, and claimed civil service rights under the 1915 law by virtue of the provisions of section 26 above referred to. However, after the passage of the civil service law of 1915, the Governor appointed one R. L. Shaw as Warden of the State Reformatory on the theory that the new law exempted the position from the classified service. Capp refused to recognize the appointment and to turn over the institution to Shaw, alleging civil service rights and contending that he could not be removed except under the removal provisions of the civil service law.

On August 14, 1915, Capp filed his answer to the charges above mentioned.

On September 17, 1915, "supplemental charges," containing four additional specifications, were filed by Gregg, and the answer of Capp thereto was filed on September 21.

Hearings were thereupon conducted by the Commission at Denver and at Buena Vista, covering a period of several weeks, at which hearings the parties interested were represented by counsel, a number of witnesses were examined, and many affidavits, exhibits, etc., introduced.

The Commissioners thereupon submitted to the Governor their separate findings and recommendations; Commissioners McLaughlin and Clarke finding that the evidence did not support the charges' and Commissioner Morrison finding Capp guilty as charged and recommending his removal.

EXAMINATIONS

No examinations have been held during the past biennial period, with the exception of an examination for Irrigation Division Engineers in the five irrigation divisions of the State on May 22, 1916, and days following. This examination resulted in the creation of an eligible list from which appointments were made by the Governor in July, 1916.

In explanation of the fact that no other examinations were held during this period, the Commission desires to state that the litigation involving the question of referendum hereinbefore referred to, and the questions raised as to the validity of the 1915 act (which matters were but recently disposed of), so engrossed the attention of the Commission and made it appear to be unwise to spend the time and money in the creation of eligible lists, which might have been a useless effort and unfair to applicants.

Aside from the above, the appropriation for the use of the Commission was insufficient even to pay the salaries of the regular employes necessary to keep the office open and attend merely to the routine work. It became necessary for one of the employes to devote a portion of her time to another department which paid half of her salary.

APPOINTMENTS FROM ELIGIBLE LISTS

During the period from December 1, 1914, to July 10, 1915, and during which period the civil service law of 1907 as amended in 1912 was in effect, forty-five (45) certifications and appointments were made from eligible lists created by the former Commission. A list of these certifications and appointments will be found in the report of the Secretary and Chief Examiner.

Nine additional appointments were attempted to be made from such eligible lists subsequent to July 10, 1915, the date on which the present civil service law, which abolished all existing eligible lists, became effective. Four of the persons so attempted to be appointed are still occupying the positions.

In July, 1916, certifications and appointments were made from the list created by this Commission to fill the positions of Irrigation Division Engineers in Irrigation Divisions Nos. 1, 2, 3 and 5, respectively.

PROVISIONAL AND TEMPORARY APPOINTMENTS

It will be noted from the report of the Secretary and Chief Examiner, appended hereto, that a number of provisional and temporary appointments were authorized during the biennial period,

under the provisions of Rule VII, subdivisions 1 and 3, and in the absence of eligible lists from which certifications might be made. The reasons for the absence of such eligible lists has been heretofore explained.

These appointments were made on nomination of the appointing officer for non-competitive examination, and the nominees were required to make such compliance with the law and rules in the matter of these appointments as could be enforced under the existing conditions. While the rules provide for examinations in such cases within sixty days, it is obvious from the foregoing that examinations could not have been held. There are, therefore, a great many employes now in the state service holding their positions under provisional appointment and awaiting examination.

CLASSIFICATION

As hereinbefore stated, the civil service law of 1915 made a number of changes in the classified service by reason of the exceptions mentioned in section 11. The classification as theretofore in effect is consequently now inapplicable as regards heads of departments and other exempt positions. This classification, under Rule II, was, however, adopted with the other rules of the former Commission on August 7, 1915, so far as applicable to and not in conflict with the present law.

A resolution was recently adopted by the Commission authorizing a reclassification of the state service, and the work was begun; but, in view of the questions raised and differences of opinion as to the inclusion or exclusion of certain position under the new law, and also in view of the fact that the possible adoption of the constitutional amendment voted upon at the general election (the amendment was defeated on November 7) would require a complete reorganization of the civil service system, it seemed unwise to publish a new classification at this late date, but rather to await the result of the vote on the amendment and the action of the next General Assembly.

It has been repeatedly suggested by this as well as former Commissions, that the adoption of a classification in conformity with the duties and requirements of the various positions is one of the steps most needed for an efficient administration of the merit system. Attention has again and again been called to the fact that, in order to properly classify the service, a thorough investigation into all departments and institutions will be necessary; and this can only be accomplished by the employment of an "efficiency expert." Only when such a classification shall have been adopted, can the matter of appointments, promotions and transfers be systematically regulated and the best results attained. This is one of the most important matters in civil service administration, and when the legislature recognizes the urgent need of an adequate appropriation for this work, then will the state service be placed on a sound efficiency basis.

SUGGESTED LEGISLATION

The legislation that is necessary to insure the stability of civil service may be denominated under several heads:

A constitutional amendment which shall provide that all employment shall be according to merit and fitness; that the Commissioners shall be appointed in such manner that they may be as free as possible from the influence of politics; that the expenses of the Commission be provided for by the Constitution itself;

An enabling act by the legislature, with the broadest possible powers in the Commission to make classification of employes, to fix salaries based upon such classification; giving the Commission also power to employ efficiency investigators so that the standard of efficiency may be maintained; a proper system of discharge or discipline for failure to maintain the standards; reasonable compensation to members of the Commission; and a well-defined rule as to the exemptions, if any. The exemptions, however, should not include heads of departments; and a very careful consideration should be given in such a law to the advisability of certifying more than one eligible to the appointing power.

CONCLUSION

It is needless to occupy space in extolling the merits of the system, for it has long been recognized that the trend of the most advanced thought of the age is toward civil service reform. However, in Colorado, as well as elsewhere, where civil service laws have been in force for several years, there are still those who have not yet become fully adjusted to the new order. The idea of patronage is still extant, and perhaps always will be, in the minds of a certain class of politicians. Our future problem is to educate the public mind to the advantages of the system to the elective and appointive official, as well as its economic value to the taxpayer and the public in general. The best results can be secured only by the co-operation of officials and employes, and it is such co-operation which we urgently invite.

In conclusion, the Commission desires to express to your excellency its appreciation of assistance in the enforcement of the law.

Respectfully submitted,

FRANK McLAUGHLIN,
President.

IMOGENE G. CLARKE,
ARTHUR R. MORRISON,
Commissioners.

State of Colorado
Board of Civil Service Commissioners

Report of
Secretary and Chief Examiner

To the Honorable,

THE BOARD OF CIVIL SERVICE COMMISSIONERS
of the State of Colorado.

Gentlemen: I beg to submit herewith for your consideration the following statistical report of your Secretary and Chief Examiner for the biennial period beginning December 1, 1914, and ending November 30, 1916:

The undersigned was appointed as Secretary and Chief Examiner on February 15, 1916, and has served in such capacity during a period of but nine months of the biennial period. This report, however, has been compiled from the records of the office for the entire period, and covers the activities of the department from December 1, 1914.

The present incumbent has been somewhat hampered by the litigation and similar matters, with which you are of course familiar, as well as by the lack of adequate funds with which to successfully carry out the purposes for which the Commission was created. The record for the period is not such as might be desired, but it is the most that could be accomplished under the circumstances.

EXAMINATIONS

No examinations were held during the period except for Irrigation Division Engineers in Irrigation Divisions Nos. 1, 2, 3, 4 and 5. These examinations were held at Denver, Pueblo, Alamosa, Montrose and Glenwood Springs, the respective headquarters of the several divisions, on May 22, 23 and 24, 1916, resulting in an eligible list for each division, from which lists certifications were thereafter made on requisition of the Governor to fill the positions in Divisions Nos. 1, 2, 3 and 5. These examinations were held by the Civil Service Commission and the State Engineer, jointly, in accordance with the provisions of the Civil Service Law and Rules and the provisions of sections 3337 to 3340, inclusive, of the Revised Statutes of 1908 and Chapter 155 of the Session Laws of Colorado, 1911.

CERTIFICATIONS AND APPOINTMENTS FROM ELIGIBLE LISTS

The following certifications and appointments were made from eligible lists created by examinations held during the previous biennial period:

Department	Position	Salary	Certified 1914	Appointed 1914
State Penitentiary	Guard	\$ 900	Dec. 11	Dec. 11
School of Mines	Fireman	720	Dec. 14	Dec. 14
Department of Insurance	Clerk and Stenographer	1,200	1915 Dec. 28	1915 Jan. 1
State Bank Commissioner	Clerk	1,080	Jan. 19	Jan. 20
State Bank Commissioner	Stenographer	1,080	Jan. 19	Jan. 20
State Tax Commission	Clerk and Stenographer	1,200	Jan. 22	Jan. 22
Department of Insurance	Clerk and Stenographer	1,200	Jan. 23	Feb. 1
Superintendent of Public Instruction	Clerk and Stenographer	1,200	Jan. 25	Jan. 25
Superintendent of Public Instruction	Stenographer	1,200	Jan. 25	Jan. 25
Board of Land Commissioners	Stenographer	1,200	Jan. 25	Jan. 25
Board of Land Commissioners	Bookkeeper	1,200	Jan. 30	Feb. 1
Secretary of State	Clerk and Cashier	1,500	Feb. 5	Expired
Secretary of State	Chief Flat Tax Clerk	1,500	Feb. 5	Expired
Secretary of State	Clerical Assistant	1,200	Feb. 5	Expired
State Penitentiary	Guard	900	Feb. 8	Feb. 9
State Penitentiary	Guard	900	Feb. 8	Declined

CIVIL SERVICE COMMISSIONERS

15

State Penitentiary	Guard	900	Feb.	10	March 6
Auditor of State	Assistant Bookkeeper	1,500	Feb.	15	Declined
Auditor of State	Assistant Bookkeeper	1,500	Feb.	16	Expired
Coal Mine Inspector	Chief Clerk	1,500	Feb.	20	Feb. 20
Coal Mine Inspector	Assistant Clerk	1,200	Feb.	20	Feb. 20
Bureau of Mines	Stenographer and Assistant Clerk	1,200	Feb.	20	Feb. 20
State Tax Commission	Secretary	1,800	Feb.	20	Feb. 20
State Tax Commission	Clerk	1,200	Feb.	20	Feb. 20
Inspector of Boilers	Clerk and Stenographer	1,000	Feb.	20	Feb. 20
Attorney General	Clerk and Stenographer	1,200	Feb.	20	Feb. 20
Attorney General	Stenographer	1,200	Feb.	20	Feb. 20
Attorney General	Stenographer	1,200	Feb.	20	Feb. 20
Inheritance Tax Department	Clerk and Stenographer	1,200	Feb.	20	Feb. 20
Auditor of State	Assistant Bookkeeper	1,500	Feb.	25	Declined
Secretary of State	Clerical Assistant	1,200	Feb.	23	Expired
Board of Capitol Managers	Janitor	780	Feb.	23	April 1
Board of Capitol Managers	Janitor	780	Feb.	23	Feb. 1
State Tax Commission	Stenographer	1,200	April	12	April 12
Stock Inspection Commissioners	Stenographer	840	April	26	April 26
Board of Capitol Managers	Clerk	1,200	May	8	May 11
Stock Inspection Commissioners	Brand Clerk	1,500	May	8	May 8

CERTIFICATIONS AND APPOINTMENTS FROM ELIGIBLE LISTS—(Continued)

Department	Position	Salary	Certified 1914	Appointed 1914
Stock Inspection Commissioners	Clerk, Stenographer and Bookkeeper	1,200	May 8	May 8
Stock Inspection Commissioners	Stenographer	1,080	May 8	May 8
Stock Inspection Commissioners	Index and Filing Clerk	900	May 8	May 8
Stock Inspection Commissioners	Clerk	840	May 8	May 8
State Highway Commission	Stenographer	1,200	May 8	May 8
Superintendent of Public Instruction	Clerk	1,200	May 11	May 11
State Board of Health	Clerk of Vital Statistics	1,200	May 29	June 1
State Board of Health	Transcribing Clerk	1,200	May 29	June 1
State Board of Health	Clerk and Stenographer	1,200	May 29	June 1
State Engineer	Filing Clerk	1,200	May 29	June 1
Juvenile Court (Denver)	Deputy Clerk	1,500	May 29	June 1
Juvenile Court (Denver)	Complaint Clerk	1,200	May 29	June 1
Juvenile Court (Denver)	Stenographer	900	May 29	June 1
Juvenile Court (Denver)	Court Stenographer	1,520	May 29	June 1
State Tax Commission	Clerk	1,200	June 1	Expired
Inheritance Tax Department	Clerk	1,200	June 1	June 1
Stock Inspection Commissioners	Clerk and Stenographer	840	June 7	June 7

Subsequent to July 10, 1915, and during the pendency of controversies as to the validity of the 1915 Act, the following certifications and appointments were attempted to be made from eligible lists which the said Act declared to be abolished:

Department	Position	Salary	Certified 1915	Appointed 1915
Department of Insurance.....	Chief Clerk.....	2,100.....	July.....	July 12.....
State Highway Commission.....	Stenographer.....	1,200.....	July.....	July 15.....
Board of Capitol Managers.....	Assistant Electrician.....	3.50 day.....	July.....	July 15.....
Superintendent Public Instruction.....	Assistant Librarian.....	720.....	July.....	July 16.....
Auditor of State.....	Stenographer.....	1,200.....	Aug.....	Expired 13.....
School of Mines.....	Stenographer.....	720.....	Aug.....	Oct. 31.....
Game and Fish Department.....	Stenographer.....	1,200.....	Nov.....	Nov. 5.....
Secretary of State.....	Assistant Document Clerk.....	1,200.....	Nov.....	Dec. 30.....
Board of Land Commissioners.....	Stenographer.....	1,200.....	Dec.....	Dec. 1.....
State Highway Commission.....	Stenographer.....	1,200.....	Dec.....	Dec. 22.....

The above certifications were made by the predecessor of the undersigned, who, while acting as Secretary of the present Commission, claimed also to act as Secretary of the former Commission, and during a period when it was attempted to enforce the provisions of both the old and new civil service laws pending a determination of litigation involving the question of referendum of the 1915 act. Four of the persons so attempted to be certified subsequent to July 10, 1915, are still occupying the positions, respectively. Another has since been declared to be exempt as stenographer to the head of a department; no appointment was attempted to be made under one of the certifications; and the remaining four (who were temporary) have left the service.

CLASSIFIED AND UNCLASSIFIED SERVICE

The following table gives the number of positions in the entire state service according to department and institution—classified, unclassified and exempt—together with the status of employes in the classified service.

It will be noted that the employes in the classified service are listed under several headings, as follows:

“PERMANENT”—Including those who have been certified as the result of examinations;

“PROVISIONAL”—Including those who have been nominated and appointed under the provisions of Rule VII, subdivision 1, paragraph 1;

“TEMPORARY”—Including those who have been nominated and appointed under the provisions of Rule VII, subdivision 3;

“APPOINTED PRIOR TO JANUARY 22, 1913”—Including those who were occupying their respective positions at the time when the civil service amendment of 1912 became effective and who were at that time considered to be permanent, but who were later declared by the courts and the Commission to be without the protection of the civil service law. These employes are merely occupying their positions at the pleasure of the appointing officers, pending examination.

“RESOLUTION JUNE 23, 1916”—Including those who come within the provisions of the following resolution adopted on said date:

“Whereas, By the terms of section 26 of Chapter 51 of the Session Laws of 1915, providing for civil service, it is provided, among other things, that nothing in the act shall be construed to remove from the protection of the civil service any officer or employe in the service of the state at the time said act shall become effective, namely, on July 10, 1915, and who shall have previously been appointed to his position held on said date as the result of a competitive examination; and

“Whereas, Sundry employes have taken and passed certain examinations prior to the adoption of said act, and were and are holding their present positions as the result of such competitive examinations:

“Now, Therefore, Be It Resolved, That it is the sense of this Commission that all employes in the service of the state on July 10, 1915, who were on that date holding positions similar to those for which they had previously qualified, respectively, as the result of competitive examinations, be considered by this Commission as within the provisions of section 26 of said act as holding their positions on July 10, 1915, as the result of competitive examinations, and entitled to the protection of the civil service.”

“APPOINTED PRIOR TO JUNE 30, 1907”—Including those who were occupying their respective positions in the penal and charitable institutions at the time when the original civil service act of 1907 became effective, which said act provided that “all persons occupying positions in the classified service when this act takes effect, shall retain their positions until removed therefrom under its provisions.”

In the last column are listed the number of positions in the unclassified or exempt class, including elective officers and deputies, members of boards and commissions, heads and chief deputies of departments and institutions, janitors, common laborers, officers and employes of the General Assembly, officers and instructors in educational institutions, and all other positions which are exempt by law.

The following table is complete except as to employes in the District and County Courts not referred to therein, which courts have failed to comply with the law in the matter of submitting pay rolls to the Commission for certification.

NUMBER OF POSITIONS IN THE CLASSIFIED AND UNCLASSIFIED SERVICE

(With Status of Employees in the Classified Service)										EXEMPT AND UNCLASSIFIED	
Department	Per- manent	Pro- visional	Tem- porary	Appointed		June 23, '16	Total	5	1		
				Jan. 22, '16	Resolution						
Governor .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lieutenant Governor .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Secretary of State.....	.....	39	.....	1	5	.....	45	.....	3
State Treasurer .....	.....	2	.....	.....	2	.....	4	.....	2
State Auditor .....	.....	15	.....	1	1	.....	17	.....	3
Attorney General	5	.....	.....	.....	.....	.....	5	.....	10
Superintendent Public Instruction	3	.....	.....	2	.....	.....	5	.....	2
Supreme Court .....	.....	.....	.....	6	.....	.....	6	.....	15
State Auditing Board .....	.....	1	.....	.....	.....	.....	1	.....	.....
Bank Commissioner	1	3	.....	.....	.....	.....	4	.....	2
Boiler Inspector	4	.....	.....	.....	.....	.....	.....	.....	.....
Board of Capitol Managers	4	9	1	18	.....	.....	32	.....	30
Board of Charities and Corrections .....	.....	.....	.....	1	2	.....	3	.....	7
Civil Service Commission .....	.....	.....	.....	2	.....	.....	2	.....	4
Coal Mine Inspector	2	.....	.....	.....	.....	.....	2	.....	5
Dairy Commissioner .....	.....	2	.....	.....	.....	.....	2	.....	3
State Engineer	6	3	1	2	.....	.....	12	.....	3
State Entomologist .....	.....	.....	.....	2	.....	.....	2	.....	3
Game and Fish Department	3	20	.....	14	1	.....	38	.....	1
Geological Survey .....	.....	15	4	19	.....	.....	38	.....	1
Board of Health	3	8	.....	.....	.....	.....	11	.....	9
Highway Commission	1	2	.....	1	.....	.....	4	.....	6

Board of Immigration.....	1	3	...	4	4
Industrial Commission.....	8	...	...	8	3
Insurance Department.....	2	4	1	8	1
Board of Land Commissioners.....	3	2	5	21	3
Board of Law Examiners.....	...	...	1	1	5
Meat Inspection Department.....	1	...	1	2	...
Bureau of Mines.....	5	...	...	6	1
Inspector of Oils.....	1	...	...	3	...
Public Utilities Commission.....	15	1	...	16	3
Board of Stock Inspection Commissioners.....	40	1	82	131	9
Survey Committee.....	4	...	...	4	6
State Tax Commission.....	2	...	...	5	3
Traveling Library.....	...	...	1	1	3
County Court (Denver).....	13	1	3	17	2
County Court (El Paso).....	1	1	2	3	2
Juvenile Court (Denver).....	3	5	...	8	2
General Assembly—					
Senators.....	...	...	...	...	35
Representatives.....	...	...	...	...	65
Senate Employees.....	...	...	...	...	42
House Employees.....	...	...	...	...	42
District Judges.....	...	...	...	...	22
District Attorneys.....	...	...	...	...	13
County Judges.....	...	...	...	...	63
Commissioner Public Printing.....	...	...	...	...	1
Public Trustees.....	...	...	...	...	6
Water Commissioners.....	...	...	...	...	70
Historical and Natural History Society.....	...	...	...	...	7
Board of Pardons.....	...	...	...	...	5
Commission for Promotion of Uniform Laws.....	...	...	...	...	3
Racing Commission.....	...	...	...	...	5

NUMBER OF POSITIONS IN THE CLASSIFIED AND UNCLASSIFIED SERVICE—(Continued)
(With Status of Employees in the Classified Service)

Department	Per- manent	Pro- visional	CLASSIFIED		Resolution June 23, '16	Total	EXEMPT AND UNCLASSIFIED
			Tem- porary	Appointed Prior to Jan. 22, '16			
Architect Examiners	5
Barber Examiners	3
Dental Examiners	5
Medical Examiners	9
Nurse Examiners	5
Board of Pharmacists	3
Optometric Examiners	5
Board of Accountancy	3
Veterinary Examiners	3
Embalming Examiners	4
Regents State University	6
Trustees School for Deaf and Blind	5
Trustees School Mines	5
Trustees Normal School	6
Board of Agriculture	9
Board of Control—Workshop for Blind	3
Board of Corrections	3
Trustees Soldiers' and Sailors' Home	3
Board of Control, Home for Dep. and Neg. Children	5
Board of Control, Industrial School (Boys)	3
Board of Control, Industrial School (Girls)	5
Trustees, Home for Mental Defectives	3
Total	67	208	17	164	19	475	642

EDUCATIONAL INSTITUTIONS

Institution	CLASSIFIED				EXEMPT AND UNCLASSIFIED
	Per- manent	Pro- visional	Tem- porary	Appointed	
				Prior to Jan. 22, '13	
State Agricultural College.....	...	16	2	5	23
Fort Lewis School of Agriculture.....	...	3	...	...	123
School for Deaf and Blind.....	...	12	...	...	3
School of Mines.....	2	4	1	7	19
State Teachers' College.....	...	3	...	10	63
State Normal School.....	...	...	...	3	29
University of Colorado.....	...	19	3	...	72
Total.....	2	57	6	12	24
				37	194
				102	517

PENAL, CHARITABLE AND REFORMATORY INSTITUTIONS

Institution	CLASSIFIED				EXEMPT AND UNCLASSIFIED
	Per- manent	Pro- visional	Tem- porary	Appointed	
				Prior to June 30, '07	
Home for Dependent and Neglected Children.....	3	15	1	2	21
Industrial School for Boys.....	7	30	...	6	43
Industrial School for Girls.....	5	16	1	...	22
Industrial Workshop for Blind.....	...	3	...	...	3
Colorado Insane Asylum.....	9	125	...	1	135
Home and Training School for Mental Defectives.....	...	16	...	...	16
State Penitentiary.....	16	34	3	4	57
State Reformatory.....	5	16	...	...	21
Soldiers' and Sailors' Home.....	1	19	...	1	21
House of Detention.....	...	...	...	...	2
Total.....	46	274	5	14	339
					78

RECAPITULATION

DEPARTMENTS

Classified—		
Permanent	67	
Provisional	208	
Temporary	17	
Appointed prior to January 22, 1913.....	164	
Resolution June 23, 1916.....	19	
	<hr/>	475
Unclassified and exempt.....		642

EDUCATIONAL INSTITUTIONS

Classified—		
Permanent	2	
Provisional	57	
Temporary	6	
Appointed prior to January 22, 1913.....	37	
	<hr/>	102
Unclassified and exempt.....		517

PENAL, CHARITABLE AND REFORMATORY INSTITUTIONS

Classified—		
Permanent	46	
Provisional	274	
Temporary	5	
Appointed prior to June 30, 1907.....	14	
	<hr/>	339
Unclassified and exempt.....		78
	<hr/>	<hr/>
Total.....	916	1,237

CLASSIFIED

Permanent	115
Provisional	539
Temporary	28
Appointed prior to January 22, 1913.....	201
Resolution June 23, 1916.....	19
Appointed prior to June 30, 1907.....	14
	<hr/>
Total.....	916

PROVISIONAL AND TEMPORARY APPOINTMENTS

In the absence of adequate or appropriate eligible lists, the following provisional and temporary appointments were authorized during the biennial period under Rule VII, subdivision 1, paragraph 1:

State Auditing Board—		Statistician	1
Secretary	1	Stenographer	1
State Auditor—		State Industrial Commission—	
Public Examiner	1	Actuary	1
State Examiner	2	Auditor	1
Assistant Examiner	12	Underwriter	2
Examiner	1	Chief of Claim Department.....	1
Registrar	1	Assistant Manager State Fund....	1
Tabulator	1	Secretary	1
Stenographer	1	Inspector	1
State Bank Commissioner—		Clerk and Stenographer.....	1
Deputy	4	Stenographer	3
Board of Capitol Managers—		Insurance Department—	
Supervising Architect.....	1	Commissioner	1
Museum Assistant	1	Cashier, Accountant, etc.	1
Draftsman	1	Assistant Examiner	1
Index Clerk	1	Assistant to Examiner.....	7
Elevator Pilot	2	Board of Land Commissioners—	
Watchman	6	Draftsman	1
Fireman	2	Clerk	3
Janitor	2	Bureau of Mines—	
Civil Service Commission—		Clerk and Assistant Curator.....	1
Technical Expert	1	Inspector	4
Coal Mine Inspector—		Inspector of Oils—	
Stenographer	1	Deputy	1
State Dairy Commissioner—		Supt. of Public Instruction—	
Deputy	1	Assistant Librarian	1
Field Man	2	Library Assistant	1
Inspector	2	Public Utilities Commission—	
State Engineer—		Secretary	2
State Engineer	1	Statistician	1
Deputy	1	Assistant Statistician	1
Irrigation Division Engineer.....	3	Civil Engineer	1
Hydrographer	6	Electrical Engineer	1
Stenographer	1	Telephone Expert	1
Filing Clerk	1	Rate Expert	1
Game and Fish Department—		Reporter	1
Superintendent of Hatchery.....	2	Inspector	4
Chief Game Warden.....	1	Stenographer	9
Deputy Game Warden.....	21	Clerk	1
Assistant Spawn Taker.....	6	Office Boy	1
Geological Survey—		Secretary of State—	
Geologic Assistant	2	Deputy Labor Commissioner.....	1
Office and Laboratory Assistant	1	Chief Flat Tax Clerk.....	1
General Assistant	1	Clerk and Cashier.....	1
Governor—		Messenger and Assistant Clerk..	1
Messenger	1	Supt. Free Employment Bureau	5
Board of Health—		Asst. Supt. Free Emp. Bureau....	4
Drug Inspector	1	Deputy Factory Inspector.....	6
Food Inspector	1	Clerk—Factory Insp. Dept.....	1
Assistant Vital Statistician.....	1	Filing Clerk	1
Board of Immigration—		Chief Clerk	1
Steno. and Lantern Operator.....	1	Clerk, Cashier, Accountant.....	1
Clerk and Stenographer.....	1	Computer	2

Information Clerk	1	Painter	2
Chief Comparing Clerk.....	1	Carpenter	2
Assistant Comparing Clerk.....	2	Baker	1
Chief Document Clerk.....	1	Fireman	5
Assistant Document Clerk.....	1	Seamstress	1
Assistant Supervisor of Private Employment Agencies	4	Night Watchman	1
Com'n Merchants Inspector.....	3	Laundress	1
Assistant Motor Vehicle Clerk....	1	Assistant Laundress	4
Clerical Assistant	1	House Cleaner	1
Asst. Cashier—Flat Tax Dept.....	1	House Girl	8
Assistant Recording Clerk.....	1	Kitchen Helper	1
Assistant on Industrial Com'sn....	5	Laborer	2
Clerk and Stenographer	1	School of Mines—	
Stenographer	2	Assistant in English.....	1
Board of Stock-Inspection Com- missioners—		Storekeeper Chemical Lab.	1
State Veterinary Surgeon.....	1	Carpenter	3
Inspector	16	Fireman	3
Special Inspector.....	10	Watchman	1
Clerk	2	Laborer	9
Survey Committee of State Affairs—		State Teachers' College—	
Surveyor	1	Stenographer	3
Investigator	3	Telephone Operator and Typist..	1
Clerk, Stenographer, Bookk'pr....	1	Janitor	1
Legal Clerk	1	Laborer	7
Clerk	1	State Normal School—	
Tax Commission—		Laborer	1
Investigator	1	University of Colorado—	
Clerk	1	Stenographer	3
State Treasurer—		Clerk	4
Liquor License Inspector.....	3	Secretary Committee on Recom- mendation of Teachers.....	1
Accountant Clerk	1	Librarian	4
Bookkeeper	1	Telephone Operator	1
County Court (Denver)—		Carpenter	1
Division and Recording Clerk.....	1	Fireman	2
County Court (El Paso)—		Janitor	5
Deputy Clerk and Bailiff.....	1	Cook	4
Juvenile Court (Denver)—		Waitress	3
Probation Officer	5	Night Superintendent Hospital..	1
Stenographer and Clerk	1	Nurse	2
State Agricultural College—		Dish Washer	1
Secretary to President.....	1	State Home for Dependent and Neglected Children—	
Civil Engineer	1	Bookkeeper and Stenographer....	2
Multigraph Operator	6	Physician	1
Steno. and Multigraph Operator ..	1	Boys' Supervisor	3
Clerk and Stenographer.....	8	Assistant Boys' Supervisor.....	2
Clerk	3	Boys' Relief Matron	2
Stenographer	4	Girls' Relief Matron.....	2
Painter	1	Night Nursery Matron.....	5
Dairyman	1	Nurse	3
Telephone Operator	2	Matron	1
Fireman	1	Assistant Nursery Matron.....	3
Janitor	2	Girls' Matron	2
Laborer	66	Relief Matron	2
Herdsmen	2	Cook	2
Assistant Cook	1	Dairyman	2
Bookkeeper	1	Electrician and Repair Eng'r....	1
School for Deaf and Blind—		Seamstress	2
Boys' Supervisor	1	Assistant Laundress	3
Assistant Boys' Supervisor.....	1	Janitor	1
Girls' Supervisor	1		

State Industrial School for Boys—		Laundress	1
Chief Clerk	1	Cook	6
Teacher	1	Domestic	13
Tailor	2	Colorado State Penitentiary—	
Carpenter	1	Deputy Warden	1
Barber and Night Watchman.....	1	Parole Officer ..	1
Baker	2	Steward	1
Cook	1	Hospital Steward	1
Florist	1	Physician and Surgeon.....	1
Barn and Stock Man.....	1	Chaplain	1
Instructor in Woodworking.....	1	Stenographer	1
Laundryman	2	Ranch Overseer	2
Asst. to Company Commanders..	1	Overseer of Gardens.....	1
Night Watchman	11	Night Matron	1
Cottage Matron	2	Guard	22
State Industrial School for Girls—		Colorado State Reformatory—	
Bookkeeper	1	Physician	1
Teacher	4	Chaplain	3
Teacher Domestic Science.....	1	Engineer	1
Dietitian	1	Farm Superintendent	1
Matron	2	Kitchen Matron—Stewardess.....	1
Assistant Matron	5	Patrol Officer	1
Kitchen Matron	1	Guard	18
Laborer	1	Soldiers' and Sailors' Home—	
House of Detention—		Chaplain	1
Cook	2	Commissary	2
Colorado Insane Asylum—		Musician	1
Assistant Physician.....	2	Florist	2
Dentist	1	Gardener	1
Druggist	1	Laundryman	2
Storekeeper	1	Laundress	1
Bookkeeper	1	Laundry Assistant	3
Superintendent of Nurses.....	1	Baker	1
Nurse	92	Cook	3
Industrial Teacher	1	Assistant Cook	2
Gardener	1	Fireman	2
Gateman	3	Night Watchman	1
Night Watchman	2	Janitor	4
Assistant Farmer	1	Teamster	1
Fireman	1	Orderly Sergeant, etc.....	1
Butcher	2	Care of Hogs.....	1
Assistant Laundryman	1	Meat Cutter	1
Laundress	3	Lawn Man	1
Assistant Cook	1	Matron	1
Carboy	4	Nurse	5
Domestic	25	Waitress	10
State Home and Training School		Kitchen Helper	1
for Mental Defectives—		Dish Washer	3
Farmer	1		
Assistant Farmer	5		
Laundryman	1	Total.....	821

It should be stated, in explanation of the above table, that, in every case of provisional and temporary appointment on nomination for non-competitive examination, the person nominated was required to file an application under oath, setting forth his experience and qualifications in detail, and furnishing satisfactory references, all of which were carefully examined and passed upon before the appointment was authorized.

FINANCIAL STATEMENT

SALARY AND INCIDENTAL FUND—1915

RECEIPTS

Appropriation	\$2,854.25
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DISBURSEMENTS

Salaries	\$2,502.00
Traveling Expenses	97.00
Court Costs	24.50
Printed Blanks	60.20
Postage	50.00
Stationery	45.99
Office and Typewriter Supplies.....	12.95
Telephone and Telegraph.....	17.07
Express .....	.87
Press Clippings	30.20
Miscellaneous	4.00
Unused Balance, Transferred to General Fund.....	9.47
	<hr/>
	\$2,854.25

SALARY AND INCIDENTAL FUND—1916

RECEIPTS

Appropriation	\$2,000.00
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DISBURSEMENTS

Salaries	\$2,000.00
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SECRETARY'S SALARY FUND—1915

RECEIPTS

Appropriation	\$2,400.00
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DISBURSEMENTS

Salary of Sec'y and Chief Examiner—Dec. 1, 1914, to Nov. 30, 1915.....	\$2,400.00
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SECRETARY'S SALARY FUND—1916

RECEIPTS

Appropriation	\$2,400.00
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DISBURSEMENTS

Salary of Sec'y and Chief Examiner—Dec. 1, 1915, to Nov. 30, 1916.....	\$2,400.00
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GENERAL INCIDENTAL FUND—1915-1916

RECEIPTS

Appropriation	\$ 500.00
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DISBURSEMENTS

Printed Blanks	\$ 14.00
Postage	75.00
Stationery	62.81
Office and Typewriter Supplies.....	238.98
Office Furniture	15.90
Telephone and Telegraph.....	44.86
Express	5.65
Press Clippings	33.00
Miscellaneous	4.00
Unused Balance, Transferred to General Fund.....	5.80
	<hr/>
	\$ 500.00

CASH FUND—1915-1916

Balance in hands of State Treasurer Nov. 30, 1914.....\$ 324.75

RECEIPTS

Examination Fees, Dec. 1, 1914, to Nov. 30, 1916..... 882.00
 \$1,206.75

DISBURSEMENTS

Salaries\$ 821.50
 Traveling Expenses 19.95
 Advertising 11.35
 Office Supplies 3.35
 Membership Fee, National Assembly of Civil Service
 Commissions 10.00
 Examination Fees Refunded 9.00
 Balance, Nov. 30, 1916..... 331.60
 \$1,206.75

SUMMARY OF WORK

The records of the office show that, during the past biennial period, the Commission has held fifty-two meetings, conducted two hearings, held examinations for Irrigation Division Engineers in five Divisions, certified seventy eligibles, fifty-eight of whom were appointed; examined and certified over twelve hundred regular, besides a number of special, pay rolls, involving the monthly checking of over one thousand items; entered daily the information regarding changes in the various departments and institutions (each change requiring an entry on three distinct records comprising the public roster, i. e., the alphabetical roster, from which pay rolls are checked, the classified roster and the permanent roster book); examined eight hundred and twenty-one applications for provisional and temporary appointment on nomination for non-competitive examination, and passed upon the qualifications of as many appointees; besides handling a voluminous correspondence, and interpreting the new civil service law in connection with many and various questions arising in the departments and institutions and as to the status of employes in the classified service under the 1915 law.

During this period a classified roster was installed, in addition to the alphabetical roster arranged according to departments and institutions, and a new form of roster card adopted, which greatly facilitates the keeping of a chronological record of the service of each employe. Bound books on special forms were also purchased, in which is kept the record of each employe in permanent form from the time of his examination until termination of employment. These changes involved considerable labor in duplicating the records on the several rosters, and in entering subsequent changes but the convenience of the system amply repays the effort and expense.

This Commission receives daily from state and municipal civil service commissions throughout the country copies of examination questions, schedules, and other civil service information, pursuant to a resolution adopted by the National Assembly of Civil Service Commissions at its annual meeting in 1914; and this data has been arranged and classified for ready reference. The office has answered a considerable volume of correspondence and requests for copies and information from this matter.

A compilation of "Citizenship and Residence Requirements" of civil service commissions in the states and principal cities, prepared by this office and from the data thus collected, has been listed in the bulletins of several bureaus of information on public affairs, and has been furnished on request to civil service commissions, libraries and research bureaus throughout the country. We have just revised this compilation from the latest reports of the various commissions, so as to bring it down to date.

ACKNOWLEDGMENTS

In conclusion, I desire to express to the members of the Commission my appreciation of their advice and direction, as well as for their generous expenditure of time and attention to the many details presented to them for consideration; and to Governor George A. Carlson, as well as to the heads of departments and institutions, for their courtesy and co-operation in the matter of the enforcement of the civil service law. I desire also to thank the employes of the office—Mr. Douglass Killin, chief clerk, and Miss Alice M. Morley, clerk and stenographer, for their valuable assistance to me in carrying on the work of the department and for the thorough and conscientious manner in which they have performed their duties.

Respectfully submitted,

ELEANOR F. YOUNG,
Secretary and Chief Examiner.

CIVIL SERVICE LAW

SECTION 1. There is hereby created a Board of Civil Service Commissioners consisting of three (3) members, not more than two (2) of whom shall be adherents of the same political party, and none of whom shall hold any other office, either elective or appointive; and members to be appointed by the Governor.

SEC. 2. Within thirty (30) days after this act shall go into effect the Governor shall appoint three (3) persons as Civil Service Commissioners who shall serve from the date of their appointment until the expiration of the term of office of the Governor making said appointments or until their successors are duly appointed and qualified. Upon the expiration of the term of office of said Civil Service Commissioners and every two years thereafter the Governor shall appoint three persons as the successors of the Commissioners whose terms shall have expired, the tenure of office of which said Commissioners shall be co-terminous with the tenure of office of the Governor making said appointment. The Governor may remove any Commissioner appointed under this act for incompetency, inefficiency, neglect, or violation of its provisions, or the rules in force hereunder. Any vacancy shall be filled for the unexpired term by appointment by the Governor.

SEC. 3. The Commissioners shall each receive an annual salary of six hundred dollars (\$600) payable monthly, in the manner prescribed by this act for the payment of salaries, and in addition thereto shall be paid their traveling expenses and other necessary expenses while engaged in the business of this Commission.

SEC. 4. Within thirty (30) days after their appointment, the Civil Service Commissioners shall meet at the State Capitol in the City of Denver, Colorado, and shall thereupon appoint a Secretary. The Secretary shall be chief examiner and shall serve during the pleasure of the board and under its directions. The Secretary shall be paid a salary not to exceed Twenty-four Hundred Dollars (\$2400) a year, and his necessary traveling expenses actually incurred in the discharge of his official duties, such salary and expenses shall be paid monthly from the general fund or from such special fund as may be created or provided for. The Civil Service Commissioners may also employ such other assistants as may be necessary to carry out the provisions of this act.

SEC. 5. Whenever desirable, the Commissioners may designate one or more of their number to act as examiners, or one or more persons in the service of the State, or any County Superintendent of Public Instruction, who shall act as assistants to the Commissioners in any examination held under this act. All officers of the State and the County Superintendents of Public Instruction shall assist the Commission in carrying out the provisions of this act.

SEC. 6. It shall be the duty of the Commissioners to investigate all alleged breaches of this act, and of its rules, and in the course of such investigation they, or any of them, or the Secretary,

may subpoena witnesses, administer oaths, compel the testimony of witnesses, and the production of books, papers and records relevant to such inquiry, and it shall be the duty of any person so subpoenaed to appear and testify, and to produce such books, papers and records as are called for in such subpoena. The same compensation shall be allowed for the attendance of witnesses, service of papers by officers, as is allowed by law in the District Courts for the respective Counties in which such investigation shall be held, and the Commission shall certify such amounts to the Auditor of State for payment from the fund which shall be appropriated for the purpose of carrying this act into effect.

SEC. 7. The Secretary of State shall provide the necessary printing, stationery and postage, and a suitable and properly furnished office in the State Capitol for the Commission. On the request of the Commission, the custodians of public buildings of the State shall make suitable provisions for the work of the Commission.

SEC. 8. The Commission shall keep records of its proceedings, and of all examinations made by it, or under its authority. All records and documents filed with the Commission shall be preserved as public records and open to public inspection.

The Commission shall, on or before the 15th day of November preceding each regular session of the General Assembly, make a report to the Governor of its work during the two preceding years, including any rules adopted under the provisions of this act, and any suggestions for legislation to carry out its purposes, or to improve the public service. This report shall be printed and distributed as a public document, at the discretion of the Governor.

SEC. 9. The Commission shall make and enforce rules to carry out the purposes of this act, and may alter or rescind them. All rules and all changes and rescissions thereof shall be approved by the Governor, and forthwith printed by the Commission for distribution, and one copy thereof sent to each officer, or board of officers, having the right to appoint or employ any person in the public service under this act. If the Governor does not act on a rule or change in a rule, within ten days after submission, then such rule or change shall become effective as though approved.

SEC. 10. The rules shall not be inconsistent with law, may be of general or limited application, and, among other things, shall provide, as nearly as the conditions of good administration will warrant, as follows:

First, For the classification of the offices, positions and employments to be filled.

Second, For open and competitive examinations to test the practicable fitness of applicants.

Third, For appointment to positions requiring technical, professional or scientific knowledge or training, by non-competitive examination when necessary.

Fourth, For lists of eligibles based upon such examinations,

from which all vacancies shall be filled, and for requisition and certification.

Fifth, For periods of probation before appointment or employment is made permanent.

Sixth, For provisional, temporary and emergency appointments, and employments; for transfers, reappointments and reinstatements.

Seventh, For increase of compensation, and promotion by successive grades upon ascertained merit, seniority in service and competitive examination. When practicable, vacancies shall be filled by promotion.

Eighth, For suspension, reduction in grade or compensation, and discharge.

SEC. 11. All appointive officers and employes of the Civil Service of the State, and of all state departments and institutions, whether such departments or state institutions shall have been created prior to or may be created subsequent to this Act, shall be included in the classified service, except the heads and chief deputies of such departments and institutions, janitors, common laborers, officers and employes of the General Assembly, judges of courts of record, clerks of courts of record, members of boards or commissions appointed by the Governor, employes of the Governor's office, appointees to fill vacancies in elective offices, deputies of elective officers now or hereafter designated by law, officers and instructors in public schools and educational institutions not reformatory, penal or charitable in character, the professional assistants of the attorney general, attorneys at law, attorneys for boards and commissions, one stenographer for each judge of the supreme court, one stenographer for each judge of the court of appeals, and stenographers and reporters of courts of record, and one stenographer for the head of each department; PROVIDED, that in the case of a vacancy in a position in the competitive class where peculiar and exceptional qualifications of a scientific, managerial, professional or educational character are required, and upon satisfactory evidence that competition in such cases is impracticable and that the position can best be filled by selection of some designated person of high and recognized attainments in such qualities, the commission may suspend the provisions of the statute requiring competition in such cases, and all such cases of suspension shall be reported in the annual report of the commission with reasons for the same, and all such cases of suspension shall not be general in character.

Except as otherwise provided in the Constitution, all appointments to positions in the classified service made in accordance with the provisions of the Civil Service law, shall be without reference to the Senate, and for good behavior.

SEC. 12. Every applicant for examination, shall pay the State Treasurer the sum of One Dollar, to be placed to the credit of the Commission, in a special fund for the purpose of defraying, so far

as possible, the expense to be incurred hereunder, and no one shall be examined until he or she exhibits the Treasurer's receipt therefor.

SEC. 13. All examinations shall be absolutely impartial, practical in their character, and with paramount regard to matters which will fairly test the relative capacity and fitness of the persons examined for the service which they seek to enter.

No statement in any application, recommendation, or question in any examination shall relate to political or religious opinions or affiliations, and no appointment or selection to office, or employment within the scope of this act, shall be in any manner affected or influenced by such opinions or affiliations.

The Commission may refuse to examine, or after examination, to certify, an applicant, who is found to lack any preliminary requirement, established by rule, for the examination or position for which he applies; or who is found physically unfit to perform the duties attaching to said position or who is addicted to the habitual use of intoxicating beverages to excess; or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has within two years been dismissed from the public service for delinquency or misconduct; or who has intentionally made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application, or in his examination, or in securing his eligibility or appointment.

SEC. 14. No person shall wilfully or corruptly, by himself, or in co-operation with one or more persons, defeat, deceive or obstruct any person in respect to his or her right of examination, or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing, or make any false representation concerning the same, or concerning the person examined, or furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any persons so examined, or to be examined; or impersonate another person, or permit or aid another person to impersonate him in any application, examination or registration.

SEC. 15. Whenever there is an appointment to be made in the classified service under this Act, the appointing officer or power shall make requisition upon the Commission for the names of eligible persons, specifying the nature of the position to be filled, and upon receipt of such requisition, the Commission shall certify the names of the three (3) persons standing highest upon the most appropriate list; and one of the persons so certified shall be appointed. In case the requisition, or any law or regulation, shall designate sex, only that sex shall be certified; otherwise sex shall be disregarded.

SEC. 16. Discharges from the classified service, or reduction in grade or compensation, or both, may be made for any cause not

political or religious, which may promote the efficiency of the service, but such cause shall be specifically stated in writing by the authority making the discharge or reduction; and the person to be discharged or reduced shall be furnished a copy of the specifications, and be allowed a reasonable time to file an answer thereto. A copy of the order of discharge or reduction, the specification and answer shall be made a part of the record of the division of the Civil Service in which the discharge or reduction is made, and copies of these papers shall be filed by the said authority with the Commission immediately on being issued or received.

SEC. 17. No person in the public service shall, for that reason, be under any obligation to contribute to any political fund, or to render any political service, and shall not be removed or otherwise prejudiced for refusal to do so.

No officer or employee of the State shall discharge, promote, degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten to do so for giving or withholding or neglecting to make any contribution of money or other valuable thing, for any political purpose, or for any political reason whatsoever.

SEC. 18. No person, while holding any public office or employment in the service of the State, or in nomination for or, while seeking a nomination or appointment for any office, shall corruptly use, or promise to use either directly or indirectly, any official authority or influence, whether then possessed, or anticipated, in the way of conferring upon any person or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary, or to interfere with any election, upon the consideration or condition that the vote or political influence, or the action of the last named person, or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

SEC. 19. The Commission shall maintain in its office as a public record, a complete roster of all persons in the Civil Service affected by this Act. The roster shall show in connection with each name, the date of appointment, employment, promotion, reduction or reinstatement, the compensation, title of the position and the nature of the duties thereof and the date and causes of any termination of such employment.

SEC. 20. All officers, boards and commissioners of the State, shall furnish all reasonable information upon request for said roster, and report immediately to the Commission every change occurring in any office, position or employment covered by this Act.

SEC. 21. The Commission shall certify to all auditing officers or boards affected by this Act, the name of every person in the classified service for whom it is the duty of such auditing officers or boards to issue a warrant, stating in each case the character and date of commencement of service, compensation and any change in

such service. No auditing officer or board as aforesaid shall issue a warrant for the payment of any compensation to any person in the classified service not so certified. Any payments contrary to the provisions of this Act, and of the rules hereunder, may be recovered from any officer or member of a board signing or countersigning warrants therefor, or from the sureties on the official bond of such person or persons, in an action brought by the State; or by any taxpayer for the use of the same.

SEC. 22. Any person occupying any position in the service of the State who shall violate any of the provisions of this Act or the rules hereunder, shall be discharged from such position and shall be ineligible to reinstatement therein, or appointment to any other branch of the public service for two years thereafter.

SEC. 23. Whoever makes an appointment to office or selects a person for employment, contrary to, or wilfully refuses or otherwise neglects to comply with the provisions of this Act or of any rule hereunder, shall be deemed guilty of a misdemeanor and for each and every offense, shall, upon conviction, be punished by a fine of not less than one hundred dollars nor more than fifteen hundred dollars, or by imprisonment for a term of not less than one month, nor more than one year, or both fine and imprisonment.

SEC. 24. The salaries of officers and employees of the Commission shall be paid at the end of each month upon certificate made by the Commission to the Auditor of State, who shall draw his warrant upon the State Treasurer, and other sums shall be paid upon proper audit and certification by the State Auditing Board.

SEC. 25. The Civil Service Commissioners are hereby authorized to hold examinations for position other than temporary or provisional appointments at the county seats of such various counties throughout the State as the Commissioners may deem most consistent with a policy of distributing Civil Service appointments throughout the State; and for the purpose of such examination, the Commissioners may depute the County Superintendent of Public Instruction in such various counties to act as special examiner without compensation under such rules as the Commissioners may adopt, not contrary to law.

SEC. 26. As soon as this Act shall go into effect, the present board of Civil Service Commissioners shall deliver all books, documents, records and forms in their possession to the Secretary of State, who, in turn, shall deliver the same to the board of Civil Service Commissioners formed by this act, as soon as said board shall have organized.

It is hereby specifically provided that all certified lists in possession of the present board of Civil Service Commissioners, the surrendering of which to the Secretary of State is herein provided for, are hereby declared to be null and void and of no force and effect;

Provided, however, that nothing in this Act shall be construed to remove from the protection of the Civil Service any officer or employee in the service of the State at the time this act shall become effective and who shall have previously been appointed to his present position as the result of a competitive examination, unless such officer or employee be holding a position which is exempt from the classified Civil Service by Section 2 of this Act.

SEC. 27. That an Act of the General Assembly entitled "An Act in relation to Civil Service in the State institutions and Municipalities," Approved March 30, 1907, and an Act of the General Assembly entitled "An Act to amend an Act entitled 'An Act in relation to Civil Service in State Institutions and Municipalities, approved March 30, 1907,' " so that the title will read, "An Act relating to Civil Service," and to amend Sections 3, 10, 17, and 21, and to repeal Section 11 of said Act," adopted by the people of the State of Colorado, effective January 22, 1913, be, and each of the same is, hereby repealed.

SEC. 28. The General Assembly hereby declares this law is necessary for the immediate preservation of the public peace, health and safety.



